

REMARKS

Claims 26-104 are pending in this application.

A. STATEMENT OF SUBSTANCE OF INTERVIEW

Pursuant to 37 C.F.R. § 1.133, Applicant submits this Statement of Substance of Interview for the telephonic interview of May 9, 2006 between Examiner Samuel Barts and Applicant's representatives Ms. Catharina Chin Eng and Ms. Ann Chen in connection with the above-identified application. At the outset, Applicant wishes to thank Examiner Barts for the courtesies extended during the interview.

During the interview, in response to the Examiner's suggestion for Applicants to identify the more pertinent art submitted in the two Information Disclosure Statements dated January 18, 2006 and March 23, 2006, respectively, Applicant's representatives informed the Examiner that Applicant initially intended to submit all the references listed in these two Information Disclosure Statements in one instead of two Information Disclosure Statements. However, to expedite the submission and review of the references, Applicant filed the first Information Disclosure Statement listing certain documents relating to Opposition proceedings concerning related European patents, and subsequently filed the second Information Disclosure Statement to ensure that references submitted in related United States patents and applications were also submitted in this application.

In response, the Examiner stated that he will review the references in both information disclosure statements. The Examiner also stated that he will search the pending claims first based on the species elected by Applicant, and then the other unelected species if no prior art is found with respect to the elected species. Finally, the Examiner requested that Applicant submit a Statement of Substance of Interview.

B. ELECTION/RESTRICTIONS

The Examiner has required species election under 35 U.S.C. § 121 to a cytoskeletal inhibitor disclosed in the examples of the specification.

In order to be fully responsive, Applicant hereby elects with traversal the species taxol. Currently pending claims 26-29, 31-36, 38-39, 41-47, 49-50, 52-55, 57-58, 63, 65-66, 68, 69, 73, 75, 77-78, 81-83, 86, 88, 91, and 93-104 are readable on the elected species.

Upon the allowance of a generic claim, claims drawn to unelected species which depend from or otherwise require all the limitations of the generic claim are also allowable as provided under 37 C.F.R. § 1.141. *See also* MPEP § 806.04(d).

Applicant fully reserves the right to prosecute the subject matter of the non-elected inventions in one or more related applications. Applicant also reserves the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicant respectfully requests that the above remarks be entered and made of record in the file history of the instant application.

Respectfully submitted,

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